

REMARKS

1. The Application has Claims 1-38 pending. Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, for lack of antecedent basis, and Claims 1-38 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Pat. No. 6,219,654 to Michael Ruffin et al. ("Ruffin"). Claim 10 has been amended to correct the antecedent basis, which is supported in amended Claim 1. No new matter was entered in amending Claim 10, for which support is found in the specification, at least on page 8, the second full paragraph, and page 17, the second full paragraph. The specification has also been amended to correct a typographical mistake.

2. The undersigned, Examiner Michelle Colon, and Primary Examiner Susie Diaz conducted a telephonic interview on Wednesday July 30, 2003, concerning the application. Claims 1 and 2 were discussed with reference to an amendment proposed by the undersigned. The Examiner stated that the claims in their present form seemed too indefinite and greater specificity with respect to the information and data referred to were needed. Agreement was not reached with respect to Claims 1 and 2.


3. Applicants traverse the rejection of Claims 1-38 under 35 U.S.C. § 102(e) in view of Ruffin. Ruffin is directed performing cost analyses for an information technology (IT) implementation. Ruffin does not disclose or suggest any method or system for evaluating a business proposal where the proposal is something other than a proposed sale of an IT system. In contrast, amended Claim 1 claims a method of evaluating a proposal, wherein the proposal is an alliance, an acquisition, an equity venture, a partnership, or a venture. Independent claims 18 and 32 contain similar limitations. The amended claims are not anticipated by Ruffin, and the Examiner is requested to withdraw the rejection under 35 U.S.C. § 102(e).

4. Claims 1-18, 20-22, 25, 27, 30-32, 36 and 37 have been amended to provide more detail in response to the Examiner's comments during the interview. These claims were not subject to a rejection for indefiniteness, but the amendment is made in a cooperative spirit to expedite prosecution of the present application. Therefore,

these amendments have not been made for a substantial reason related to patentability, or to comply with the patent laws, but simply to expedite prosecution. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co. Ltd.*, 234 F.3d 558, 56 U.S.P.Q.2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722, 62 U.S.P.Q.2d 1705 (2002). Support for the amendment is found in the claims as filed, in the specification, and in the drawings.

5. The Examiner is requested to enter the amendment, to reconsider the application, and to withdraw the rejections under 35 U.S.C. § 102(e) and § 112, second paragraph.

Respectfully submitted,

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